FARAD CONTINUATION SHEET NO.:
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
CIVIL APPLICATION NO.153 OF 2005
IN
FAMILY COURT APPEAL NO.93 OF 2005

Office Notes, Office Memoranda of coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Mr.V.C.Ghosalkar for applicant.
Mrs.Veena Gauda for respondent.

CORAM : H.L GOKHALE &
SMT.R.S.DALVI, JJ.
DATED : 13th October 2005

P.C. :

1. We have heard Mr.Ghosalkar in support of this Application. Mrs.Gauda appears for the respondent.

2. The respondent has filed an affidavit stating that she will not sell or create any third party rights or induct any third party in the suit premises i.e. flat No.1, Hindustan Terrace, 52, Kalyaninagar, Pune, till further orders in the Appeal. We accept this affidavit. The appellant will put the respondent in

possession of the concerned flat in view of this affidavit.

3. Mr.Ghosalkar appearing for the applicant makes a statement that the flat is in a habitable condition. He further states that there are no arrears to be paid to the Housing Society except an amount of Rs.30,000/- which is pending in view of a dispute between the appellant and the Society concerned nor any taxes are to be paid. That will be the liability of the appellant and not of the respondent. The respondent may move into the flat any time before the end of this month. She will be liable to pay the maintenance charges of the Society for the period beginning from 1st of November 2005. The receipts to be given by the Housing Society will continue in the name in which they are presently being given during the pendency and disposal

of the Appeal.

4. Mr.Ghosalkar states that there are certain articles of the applicant which are lying in the premises. It will be open to him either to remove them or to move them into one room in the flat and keep them under seal.

5. The aforesaid order will run as an interim arrangement till the disposal of the Appeal.

(H.L.GOKHALE, J.)

(SMT.R.S.DALVI, J.)